IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929

Crl.Rev.Pet.No. 1084 of 2002()

CRA.266/1999 of ADDL. SESSIONS COURT, FAST TRACK-II (ADHOC) THRISSUR
CC.927/1997 of JUDL. MAGISTRATE OF FIRST CLASS COURT, VADAKKANCHERY

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REVN. PETITIONER: APPELLANT/ACCUSED

RAMAN @ RAMANKUTTY,
S/O. APPU EZHUTHACHAN, VATTAPPARA DESOM,
VENNOOR VILLAGE.

BY ADV. SRI.P.K.ANIL

RESPONDENTS: RESPONDENT/COMPLAINANT & STATE

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1. SUB INSPECTOR OF POLICE,
PAZHAYANNOOR.

2. STATE REP; BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 13/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRRP1084/2002

ORDER ON CRL.M.P.NO.5776/2002 IN CRL.R.P.NO.1084/2002

DISMISSED

13.7.2007 SD/- K.R.UDAYABHANU, JUDGE

/TRUE COPY/

P.A. TO JUDGE

K.R.UDAYABHANU, J

Crl.R.P.No.1084 of 2002

Dated this the 13th day of July, 2007

O R D E R

The revision petitioner is the accused in C.C.No.927/97 in the court of Judicial First Class Magistrate Court, Wadakkanchery with respect to the offence under Section 324 IPC. The accused stands convicted and sentenced to undergo R.I. for three months and to pay a fine of Rs.5,000/- and in default, to undergo R.I. for three months and that out of the fine amount, if realised, Rs.4,000/- is ordered to be paid to the defacto complainant.

2. The counsel for the revision petitioner has only pleaded for leniency and has sought to avoid the sentence of imprisonment. It is pointed out that the incident has taken place in 1997 and about ten years have elapsed since the date of the incident and the commencement of the proceedings and so far he he was living under the shadow of impending imprisonment. I find that the injury sustained are not of a serious nature. In the circumstances, the sentence is modified to imprisonment till the

rising of the court and to pay a compensation of Rs.10,000/- to PW1, the defacto complainant. The revision petitioner is granted one month's time to remit the compensation amount. He shall appear before the Judicial First Class Magistrate Court, Wadakkanchery on 24.8.2007 to receive sentence.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl